

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

NOTICE OF SEALED FILINGS

Pursuant to Rule 26 of the Federal Rules of Civil Procedure, and Local Civil Rule 5(C), Defendants (“Cox”) have filed a motion to temporarily seal a portion of Cox’s Memorandum in Support of its Motion *in Limine* No. 2 to Preclude Evidence and Testimony Relating to Third-Party Infringement Notices (ECF No. 477); Portions of Cox’s Memorandum in Support of its Motion *in Limine* No. 4 to Preclude Evidence and Testimony of Infringement and Harm Other than that Allegedly Represented by the RIAA Notices (ECF No. 486), Exhibits 1-4, 6-14 to Cox’s Motion *in Limine* No. 4 (ECF Nos. 486-1-4, 6-14); Portions of Cox’s Memorandum in Support of Its Motion *in Limine* No. 5 to Exclude Plaintiffs’ Exhibit Number 39 (ECF No. 489); Exhibits 1-4 to Cox’s Motion *in Limine* No. 5 (ECF No. 489-1-4); Portions of the Declaration of Thomas Kearney in Support of Cox’s Motion *in Limine* No. 5 (ECF No. 489-5); Portions of Cox’s Memorandum in Support of Its Motion *in Limine* No. 6 to Exclude Certain MarkMonitor Evidence (ECF No. 492); Exhibits 2-5, 7-13, 18 to Cox’s Motion *in Limine* No. 6. (ECF No. 492-2-5, 7-13, 18); Portions of Cox’s Memorandum in Support of its Motion *in Limine* No. 8 to Exclude Certain Evidence Relating to Peer-to-Peer Traffic on Cox’s Network (ECF No. 498), and Exhibits 1-3, 6-7 of Cox’s Motion *in Limine* No. 8 (ECF No. 498-1-3, 6-7). As detailed below, these Memoranda, Declarations, and Exhibits contain information that has been designated under the Stipulated Protective Order in this case (ECF No. 58) (the “Protective Order”) by

Plaintiffs, Cox, and/or third parties as either Confidential or Highly Confidential – Attorneys’ Eyes Only.

Cox has also filed a motion to seal Portions of Cox’s Memorandum in Support of its Motion *in Limine* No. 2; Exhibit 1 to Cox’s Motion *in Limine* No. 2; Exhibit 2 to Cox’s Motion *in Limine* No. 3; Portions of Cox’s Memorandum in Support of its *Motion in Limine* No. 4; Exhibit 6 to Cox’s Motion *in Limine* No. 6; Portions of Cox’s Memorandum in Support of its Motion *in Limine* No. 8; Exhibit 4-5 to Cox’s Motion *in Limine* No. 8; and Portions of Cox’s Memorandum in Support of its Motion *in Limine* No. 9 to Preclude Evidence Relating to Terminations for Non-Payment (ECF No. 501).

NOTICE OF RIGHT TO RESPOND: Pursuant to Local Civil Rule 5(C), “the party designating the material as confidential must file a response to the motion” within seven (7) days after the filing of the motion to seal, and that they may designate all or part of such memoranda as confidential.

Dated: October 21, 2019

Respectfully submitted,

/s/ Thomas M. Buchanan
Thomas M. Buchanan (VSB No. 21530)
WINSTON & STRAWN LLP
1700 K Street, NW
Washington, DC 20006-3817
Tel: (202) 282-5787
Fax: (202) 282-5100
Email: tbuchana@winston.com

*Attorney for Cox Communications, Inc.
and CoxCom, LLC*

Of Counsel for Defendants

Michael S. Elkin (*pro hac vice*)
Thomas Patrick Lane (*pro hac vice*)
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166-4193
Telephone: (212) 294-6700
Facsimile: (212) 294-4700
Email: melkin@winston.com
Email: tlane@winston.com

Jennifer A. Golinveaux (*pro hac vice*)
Thomas J. Kearney (*pro hac vice*)
WINSTON & STRAWN LLP
101 California Street, 35th Floor
San Francisco, CA 94111-5840
Telephone: (415) 591-1000
Facsimile: (415) 591-1400
Email: jgolinveaux@winston.com
Email: tkearney@winston.com

Michael L. Brody (*pro hac vice*)
WINSTON & STRAWN LLP
35 W. Wacker Dr.
Chicago, IL 60601
Telephone: (312) 558-5600
Facsimile: (312) 558-5700
Email: mbrody@winston.com

Diana Hughes Leiden (*pro hac vice*)
WINSTON & STRAWN LLP
333 S. Grand Avenue, Suite 3800
Los Angeles, CA 90071
Telephone: (213) 615-1700
Facsimile: (213) 615-1750
Email: dhleiden@winston.com

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2019, the foregoing was filed and served electronically by the Court's CM/ECF system upon all registered users and by Email to counsel for Sandvine and inCode Consulting.

/s/ Thomas M. Buchanan

Thomas M. Buchanan (VSB No. 21530)
1700 K Street, NW
Washington, DC 20006-3817
Tel: (202) 282-5787
Fax: (202) 282-5100
Email: tbuchana@winston.com

*Attorney for Cox Communications, Inc.
and CoxCom, LLC*